

## REMARKS

Claims 14-21 are active in the application. Reconsideration and reexamination are respectfully requested in view of the following remarks.

In items 1 and 2 on page 2 of the Office Action, the drawings were objected to as failing to show the "end milling" and the "scroll fixed in a chuck" of claim 16.

It is respectfully submitted that Figures 7 and 8 show both the claimed "end milling" and the "scroll being fixed in a chuck" and that support for the claimed subject matter shown in Figures 7 and 8 is provided at pages 15 and 16 of the original specification. Specifically, see Fig. 7 and page 15, lines 10-12 of the original specification which respectively show and describe the stationary scroll 1 being "chucked and fixed by chucking member 43". Also, see Fig. 7 and page 15, lines 13-15 of the original specification which respectively show and describe the stationary scroll 1 being cutting-machined with end mill 44 while fixed in a chuck. Still further, see Fig. 8 and page 16, lines 18 and 19 of the original specification which respectively show and describe the face of end plate 1A being finished by non-rotational tool 9.

Since the "end milling" and "scroll fixed in a chuck" of claim 16 are clearly shown in the drawings and described in the specification, it is respectfully submitted that the objection to the drawings should be withdrawn.

In items 4 to 6 on pages 3 and 4 of the Office Action, claims 14 and 15 were rejected under the doctrine of nonstatutory double patenting over claim 1 of US 7,237,992. In item 7 on pages 4 and 5 of the Office Action, claim 16 was rejected under the doctrine of nonstatutory double patenting over claim 1 of US 7,237,992 in view of McCullough (US 4,512,066) or Fukuhara et al. (Japanese Patent Publication Number 2001-032786). In item 8 on page 5 of the Office Action, claim 17 was rejected under the doctrine of nonstatutory double patenting over claim 1 of US 7,237,992 in view of McCullough (US 4,512,066). In items 9 to 12 of the Office Action, claims 18 to 21 were rejected under the doctrine of nonstatutory double patenting over claim 1 of US 7,237,992.

Without intending to acquiesce to these rejections and merely to expedite allowance of the application, Applicants submit herewith a **Terminal Disclaimer** under 37 C.F.R. § 1.321, which is signed by a registered attorney of record, together with the fee required under 37 C.F.R. § 1.20(d) to overcome the nonstatutory double patenting rejections over US 7,237,992.

The Terminal Disclaimer removes the patent as a reference. Accordingly, it is respectfully submitted that the double patenting rejections are untenable and should be withdrawn.

In view of the foregoing remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is earnestly solicited.

If, after reviewing this response, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issues

Respectfully submitted,

Hideaki MATSUHASHI

By:   
\_\_\_\_\_  
Benjamin A. Pezzlo  
Registration No. 41,251  
Attorney for Applicant

BAP(CRW)/ats  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
September 20, 2007